

TESTIMONY OF PARTIES & WITNESSES

Plaintiff Miles Lederer testified he and his wife are the owners of 37 Chatham Court in Dover, Delaware 19901. He began renting the property to Mr. Drummond in May of 2016. Mr. Lederer notified his attorney to send a **60-day** notice of lease termination to Mr. Drummond. It was sent certified mail on June 27, 2022 and received on June 29, 2022. Mr. Drummond was to vacate the unit on or before August 31, 2022 but has yet to do so. Mr. Lederer says Mr. Drummond does not have permission to reside there as he wants his rental unit back in his possession. There was no relevant cross examination of this witness.

Plaintiff entered into evidence, without defendant's objection, the following exhibits: The lease from May of 2016, the properly constructed **60-day** notice sent on June 27, 2022, and the certificate of service received on June 29, 2022. Plaintiff rested.

Defense witness Deborah Anderson was unable to provide any relevant testimony with regard possession. Defendant Sandy Drummond testified he was a tenant of the rental unit since 2016, wanted to purchase the property, and had a good relationship with the Plaintiffs until it began to "sour". There was no cross-examination of either witness. Defendant rested.

DISCUSSION

Pursuant to 25 Del. C. § 5106(d), "Where the term of the rental agreement is month-to-month, the landlord or tenant may terminate the rental agreement by giving the other party a minimum of **60 days** written notice, which **60-day** period shall began on the first day of the month following the day of actual notice".

CONCLUSION

After considering the evidence and testimony presented, the panel finds Plaintiff has proven its case by a preponderance of the evidence and issues a unanimous verdict in favor of the Plaintiffs and against Defendant Sandy Drummond as follows:

Possession to Plaintiff

The Court announced its decision in open court on February 10, 2023 and reduced it to writing on February 10, 2023.

IT IS SO ORDERED this 10th day of February, 2023.

/s/ Michael P. Sherlock

Michael P. Sherlock
Justice of the Peace
FOR THE COURT